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Customized Form PTO/SB/31 (12-04)

**NOTICE OF APPEAL  
FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application #	10/049,677
Confirmation #	7732
Filing Date	05/22/2002
First Inventor	Newman
Art Unit	3651
Examiner	J. Dillon, Jr.
Docket #	P07534US00/RFH

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)):

Applicant claims small entity status

Large Entity \$ 500

Small Entity \$ 250

A CREDIT CARD PAYMENT FORM (Form PTO-2038) is enclosed for:

\$ 0 - fee  
previously paid  
on 12/10/2004.  
See  
accompanying  
letter

(covering:  the fee indicated above  an extension of time fee)

The Commissioner is hereby authorized to charge any fee or additional fees due under 37 CFR 1.15 and 1.17 in connection herewith, or to credit any overpayment, to Deposit Account No. .

In the event that a petition for an extension of time is required to be submitted herewith and that a separate petition is not submitted herewith, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee due in connection with this petition is authorized above.

I am the Attorney of Record.

Date: May 31, 2005

By: Name: Ross F. Hunt, Jr.  
Registration No.: 24,082

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06/09/2005 WANTHONY 00000001 120555 10049677  
Sale Ref: 00000001 DAH: 120555 10049677  
01 FC:2251 60.00 DA

210LT:5805:7725:1:ALEXANDRIA

MAY 31 2005  
U.S. PATENT & TRADEMARK OFFICE

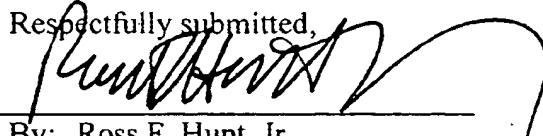
<b>LETTER REGARDING NOTICE OF APPEAL</b>	Application #	10/049,677
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

A Notice of Appeal has already been filed on December 10, 2004, and the appeal fee was paid. No fee is attached and none should be charged to our Deposit Account. The Examiner sent out a further Office Action after the first Notice of appeal was filed, changing the grounds for rejection. Thus, the previous appeal could not be pursued and accordingly, the fee paid previously should be applied to the current Notice of Appeal.

Respectfully submitted,

  
By: Ross F. Hunt, Jr.  
Registration No.: 24,082

Date: May 31, 2005

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